

REMARKS

In the Office Action, the Examiner rejected claims 1-20. By this paper, the Applicant has amended claims 1, 6, and 10 to correct minor typographical issues. These amendments do not add any new matter. Upon entry of these amendments, claims 1-20 remain pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and the following remarks, the Applicant respectfully requests reconsideration and allowance of all pending claims.

Claim Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-20 under U.S.C. § 102(e) as anticipated by Klos et al. (U.S. Publication No. 2004/0022379 A1). The Applicant respectfully traverses this rejection.

Legal Precedent

Anticipation under section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under section 102, a single reference must teach each and every limitation of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Accordingly, the Applicant needs only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. The prior art reference also must show the *identical*

invention “*in as complete detail as contained in the ... claim*” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989).

Detailed Rejection

With respect to the rejection of independent claims 1, 6, 11, and 16 under Section 102(e), the Examiner stated:

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Klos et al (hereinafter “Klos”, US Pub No 2004/0022379 A1).

As per claim 1, Klos discloses a method for validation of a service request in a distributed computing system comprising:
providing a request for service (paragraph [0029]);
providing a plurality of channels connected to the client (paragraphs [0308]-[0310]);
providing first and second processes connected to the plurality of channels for validating the request for service (paragraphs [0007], [0010], Abstract);
determining in the first and second processes that the request for service has not been previously validated (paragraph [0039]);
transmitting from the first and second processes messages having information indicative of the transmitting from the first or second process and the request for service (paragraphs [0007], [0010]);
storing the information in the first and second processes (paragraphs [0037], [0055], [0067]); and
accepting the request for service in the first or second process after the messages are transmitted and message related information is different from the information stored in the respective first or second process (paragraphs [0618], Abstract).

As per claims 6, 11, and 16, Klos discloses a method, means, and system of validating a service request comprising:
providing a request for service (paragraph [0029]);

providing a plurality of channels connected to the client (paragraphs [0308]-[0310]);
providing a plurality of processes connected to the plurality of channels for validating the request for service (paragraphs [0007], [0010], Abstract);
determining in the plurality of processes that the request for service has not been previously validated (paragraph [0039]);
transmitting from the plurality of processes values indicative of the transmitting from the each of the plurality of processes and the request for service (paragraphs [0007], [0010]);
storing the value in the plurality of processes (paragraphs [0037], [0055], [0067]); and
accepting the request for service in one of the plurality of processes after the value is transmitted and a value related to the value transmitted is different from the value stored in the one of the plurality of processes (paragraphs [0618], Abstract).

Office Action, pages 2-5.

Deficiencies of the Rejection

The Applicant respectfully asserts that the Klos reference does not anticipate independent claims 1, 6, 11, and 16 because those claims recite elements that are not taught, suggested, or illustrated in the Klos reference. Specifically, independent claim 1 recites “transmitting from the first and second processes messages having information indicative of the transmitting from the first or second process and the request for service.” Independent claim 6 recites “transmitting from the plurality of processes values indicative of the transmitting from the each of the plurality of processes and the request for service.” Independent claim 11 recites “means for transmitting a message having information indicative of the transmitting from the first or second process and the request for service.” Independent claim 16 recites “means for transmitting a value indicative of the transmitting from the one of the plurality of processes and the request for service.”

The Applicant respectfully asserts that the Examiner has misinterpreted the Klos reference to disclose these claim features by relying on paragraphs 7 and 10 of the Klos reference. Paragraph 7 is a list of *acronyms and terms*, and as such, cannot possibly disclose the features described above. Paragraph 10 comprises basic background information about phone systems, none of which discloses the features of claims 1, 6, 11, and 16. Specifically, paragraph 10 of the Klos reference states:

In recent years, a number of new telephone service features have been provided by an Advanced Intelligent Network (AIN). The AIN evolved out of a need to increase the capabilities of the telephone network architecture to meet the growing needs of telephone customers. The AIN provides a mechanism by which new services may be created outside of a particular vendor's switch. Each CO in the AIN system is equipped as a Service Switching Point (SSP) which is capable of suspending normal call processing when encountering a "trigger." The trigger invokes AIN service logic associated with a subscriber. Once a call is triggered, the SSP launches a query through a Signal Transfer Point (STP) in a Common Channel Signaling Network (CCS) to a Service Control Point (SCP). The SCP contains the AIN service logic for the particular subscriber and determines how to handle and route the call. Once the SCP processes the call, the SCP sends the appropriate routing instructions through the STP to the SSP, which then routes the call. Intelligent Peripherals (IP) may be provided to process multi-media services such as announcements, voice activated dialing, etc.

This section of the Klos reference describes the routing of an *ordinary telephone call*. As such, it clearly does not disclose first and second processes, much less "transmitting from the first and second processes messages having information indicative of the transmitting from the first or second process and the request for service," as recited in claim 1 or the features of independent claims 6, 11, and 16 described above. Accordingly, the Applicant

respectfully asserts that the Examiner has misapplied the Klos reference in formulating the pending rejection, and requests allowance of independent claim 1-20.

Second, independent claim 1 recites “accepting the request for service in the first or second process after the messages are transmitted and message related information is different from the information stored in the respective first or second process.” Independent claim 6 recites “accepting the request for service in one of the plurality of processes after the value is transmitted and a value related to the value transmitted is different from the value stored in the one of the plurality of processes.” Independent claim 11 recites “means for accepting the request for service in the first or second process after the message is transmitted and message related information is different from the information stored in the respective first process or second process.” Independent claim 16 recites “means for accepting the request for service in the one of the plurality of processes after the value is transmitted and a value related to the value transmitted is different from the value stored in the one of the plurality of processes.”

As above, the Applicant respectfully asserts that the Examiner has not satisfied the Examiner’s burden with regard to the above-described features of claims 1, 6, 11, and 16. Specifically, the Examiner suggested that paragraph 618 or the Abstract of the Klos reference discloses this feature. However, paragraph 618 of the Klos reference clearly *does not* disclose these claim features. In its entirety, paragraph 618 states:

The Generic Order Management (GOM) Services
400 accept inputs from OSS systems and SOAC and
process the request to derive the appropriate provision
provisioning steps for affected NEs based a particular

combination of added/deleted/updates services for a WTN.
The GOM Services 400 will be described below with
reference to FIGS. 13-14.

The Applicant respectfully asserts that paragraph of 618 of the Klos reference does not disclose the features of claims 1, 6, 11, and 16 described above. In fact, the Applicant is unable to determine *any relationship* between the above-described claim features and the subject matter described in paragraph 618. As such, paragraph 618 of the Klos reference cannot possibly disclose the above-described features of independent claims 1, 6, 11, and 16.

Similarly, the Abstract of the Klos reference *does not* disclose the above-recited claim features. Specifically, in relevant part, the Abstract of the Klos reference states:

The service management system includes table-driven logic which is used to validate and process the requests to determine the provisioning information. Once the provisioning information is determined, it is queued to the appropriate network element, and an acknowledgment is sent to the originating service order source. The service management system also includes a interface to query the database and network elements to perform debugging and error correction.

Abstract, lines 10-18.

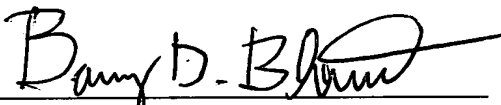
As shown above, the Abstract of the Klos reference does not disclose a first process, a second process, or message related information. As such, the Applicant respectfully asserts that the Abstract cannot disclose the foregoing features of claims 1, 6, 11, and 16. For this additional reason alone, the Applicant respectfully requests withdrawal of the Examiner's rejection and allowance of claims 1-20.

Conclusion

The Applicant respectfully submits that all pending claims are in condition for allowance. However, if the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: January 5, 2005

A handwritten signature in black ink, appearing to read "Barry D. Blount", written over a horizontal line.

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